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Attorneys for Plaintiff/Counterdefendant
**GREEN TREE SERVICING LLC NOW
KNOWN AS DITECH FINANCIAL LLC**

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GREEN TREE SERVICING LLC,

Plaintiff,

v.

VALENCIA MANAGEMENT LLC SERIES 4;
SILVERADO COURT LANDSCAPE
MAINTENANCE CORPORATION; DOES 1
through 10, inclusive; ROES Business Entities 1
through 10, inclusive; and all others who claim
interest in the subject property located at 10784
Teton Village Court, Henderson, NV 89052,

Defendant.

VALENCIA MANAGEMENT LLC SERIES 4, a
Nevada Limited Liability Company,

Counterclaim Plaintiff,

v.

GREEN TREE SERVICING LLC; DOES 1
through 10, inclusive; ROES CORPORATION 1
through 10, inclusive,

Counterclaim Defendants.

CASE NO. 2:15-cv-00725-JCM-PAL

**STIPULATION AND ORDER DISMISSING
REMAINING CLAIMS AS MOOT AND
ENTERING FINAL JUDGMENT**

1 VALENCIA MANAGEMENT LLC SERIES 4, a
2 Nevada Limited Liability Company,

3 Third Party Plaintiff,

4 v.

5 SUSANNA MIZRAHI, an individual; DOE
6 INDIVIDUALS 1 through 10, inclusive; ROE
7 CORPORATIONS 1 through 10, inclusive,

8 Third Party Defendants.

9 The parties, by and through their undersigned counsel of record, hereby stipulate as follows:

10 WHEREFORE, on January 22, 2018, the Court issues its Order (ECF 119.) granting Plaintiff
11 GREEN TREE SERVICING LLC's now known as DITECH FINANCIAL, LLC ("Ditech") Motion
12 for Summary Judgment;

13 WHEREFORE, the Court's Order did not address Ditech's claims for negligent
14 misrepresentation or unconstitutional statute;

15 WHEREFORE, in light of the Court's Order granting summary judgment on Ditech's claims
16 under 12 USC § 4617(j), Ditech's claims for negligent misrepresentation and unconstitutional statute
17 have become moot;

18 WHEREFORE, the parties wish to obtain a final appealable judgment in this case;

19 ACCORDINGLY, IT IS HEREBY STIPULATED, that Ditech's claims for negligent
20 misrepresentation and unjust enrichment are dismissed without prejudice;

21 IT IS FURTHER STIPULATED, that any statute of limitations, repose, or latches applicable
22 to Ditech's claims for negligent misrepresentation and unjust enrichment are tolled, such that in the
23 event the Court's order granting Ditech's Motion for Summary Judgment (ECF 119.) is reversed on
24 appeal, Ditech may renew these claims in an amended pleading to be filed in the district court within
25 30 days of the filing in the district court of the mandate reversing such order.

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IT IS FURTHER STIPULATED, that the Clerk may issue final judgment in this case pursuant to Fed. R. Civ. P. 54.

IT IS SO STIPULATED.

WOLFE & WYMAN LLP

CONNAGHAN/NEWBERRY LAW FIRM

By: /s/ Colt B. Dodrill
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By: /s/ Tara D. Newberry
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Attorneys for
Green Tree Servicing LLC, now known as
Ditech Financial LLC

Attorneys for
Valencia Management LLC Series 4

DATED: February 6, 2018

DATED: February 6, 2018

LEACH JOHNSON SONG & GRUCHOW

By: /s/ T. Chase Pittsenbarger
T. Chase Pittsenbarger, Esq.
Nevada Bar No. 13740
8945 W. Russell Road, Suite 330
Las Vegas, NV 89148

Attorneys for
Silverado Court LMC

DATED: February 6, 2018

IT IS SO ORDERED.

DATED: February 8, 2018

James C. Mahan
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

On February 6, 2018, I served the **STIPULATION AND ORDER DISMISSING REMAINING CLAIMS AS MOOT AND ENTERING FINAL JUDGMENT** by the following means to the persons as listed below:

 X a. ECF System (you must attach the “Notice of Electronic Filing”, or list all persons and addresses and attach additional paper if necessary):

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_____ b. United States Mail, postage fully pre-paid (List persons and addresses. Attach additional paper if necessary)

By: /s/ Kathy Hagmaier
KATHY HAGMAIER
An employee of Wolfe & Wyman LLP